

Please type a plus sign (+) inside this box ➡ ☐

PTO/SB/05 (03-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>	<b>Attorney Docket No.</b>	35693.830009.US0
	<b>First Inventor</b>	Christopher John King
	<b>Title</b>	STRETCHABLE ATHLETIC PANTS HAVING AN OVERLAPPING BONDED SEAM
	<b>Express Mail Label No.</b>	EV269464057US

<b>APPLICATION ELEMENTS</b> <small>See MPEP chapter 600 concerning design patent application contents.</small>	<b>ADDRESS TO:</b> Commissioner for Patents Mail Stop: Patent Application Alexandria, VA 22313-1450
---	--

<p>1. <input checked="" type="checkbox"/> <b>Fee Transmittal Form (e.g., PTO/SB/17)</b> <small>(Submit an original, and a duplicate for fee processing)</small></p> <p>2. <input checked="" type="checkbox"/> <b>Applicant claims small entity status.</b> See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> <b>Specification</b> [Total Pages 16 ] <small>(preferred arrangement set forth below)</small> - Descriptive title of the invention - Cross Reference to the Related Applications - Statement Regarding Fed sponsored R &amp; D - Reference to sequence listing, a table or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure</p> <p>4. <input checked="" type="checkbox"/> <b>Drawings(s) (35 U.S.C. 113)</b> [Total Sheets 3 ]</p> <p>5. <input checked="" type="checkbox"/> <b>Oath or Declaration</b> [Total Pages 4 ] a. <input checked="" type="checkbox"/> <b>Newly executed (original or copy)</b> b. <input type="checkbox"/> <b>Copy from a prior application (37 CFR 1.63(d))</b> <small>(for continuation/divisional with Box 18 completed)</small> i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> <small>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)</small></p> <p>6. <input type="checkbox"/> <b>Application Data Sheet. See 37 CFR 1.76</b></p>	<p>7. <input type="checkbox"/> <b>CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</b></p> <p>8. <b>Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</b> a. <input type="checkbox"/> <b>Computer Readable Form (CRF)</b> b. <b>Specification Sequence Listing on:</b> i. <input type="checkbox"/> <b>CD-ROM or CD-R (2 copies); or</b> ii. <input type="checkbox"/> <b>paper</b> c. <input type="checkbox"/> <b>Statements verifying identity of above copies</b></p>
--	---

<b>ACCOMPANYING APPLICATION PARTS</b>	
9. <input checked="" type="checkbox"/> <b>Assignment Papers (cover sheet &amp; document(s))</b>	
10. <input type="checkbox"/> <b>37 CFR 3.73(b) Statement (when there is an assignee)</b>	<input type="checkbox"/> <b>Power of Attorney</b>
11. <input type="checkbox"/> <b>English Translation Document (if applicable)</b>	
12. <input type="checkbox"/> <b>Information Disclosure Statement (IDS)/PTO-1449</b>	<input type="checkbox"/> <b>Copies of IDS Citations</b>
13. <input type="checkbox"/> <b>Preliminary Amendment</b>	
14. <input checked="" type="checkbox"/> <b>Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</b>	
15. <input type="checkbox"/> <b>Certified Copy of Priority Document(s) (if foreign policy is claimed)</b>	
16. <input type="checkbox"/> <b>Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.</b>	
17. <input type="checkbox"/> <b>Other:</b> .....	


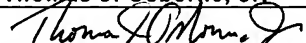
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Prior application information: Examiner Group Art Unit:

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

### 19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> <b>Customer Number or Bar Code Label</b>	 26582	or <input type="checkbox"/> <b>Correspondence address below</b>
<b>Name</b>	Thomas J. Osborne, Jr.	
<b>Address</b>	Holland & Hart 555 17 <sup>th</sup> Street, Suite 3200	
<b>City</b>	Denver	<b>State</b> Colorado <b>Zip Code</b> 80202
<b>Country</b>	USA	<b>Telephone</b> 303-295-8414 <b>Fax</b> 303-295-8261
<b>Name (Print/Type)</b>	Thomas J. Osborne, Jr.	<b>Registration No. (Attorney/Agent)</b> 39,796
<b>Signature</b>		<b>Date</b> November 12, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231. 3156287\_1.DOC

19270 U.S.P.T.O.  
10/712856  
111203

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>FEE TRANSMITTAL FOR FY 2003</b> <i>Patent fees are subject to annual revision</i>		<b>Complete if Known</b>	
		Application Number	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 C.F.R. 1.27		Filing Date	Herewith
		First Named Inventor	Christopher John King
		Examiner Name	not yet assigned
TOTAL AMOUNT OF PAYMENT		(\$ 586.00	Attorney Docket No. 35693.830009.US0

<b>METHOD OF PAYMENT</b>		<b>FEE CALCULATION (continued)</b>																																																																																																																																																																																			
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> None		<b>3. ADDITIONAL FEES</b>																																																																																																																																																																																			
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number <b>08-2623</b> Deposit Account Name		Large Entity   Small Entity																																																																																																																																																																																			
<b>The Commissioner is authorized to: (Check all that apply)</b> <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified account.		<table border="1"><thead><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr><tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>1252</td><td>410</td><td>2252</td><td>205</td><td>Extension for reply within second month</td><td></td></tr><tr><td>1253</td><td>930</td><td>2253</td><td>465</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1254</td><td>1450</td><td>2254</td><td>725</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>1255</td><td>1970</td><td>2255</td><td>985</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>1401</td><td>320</td><td>2401</td><td>160</td><td>Notice of Appeal</td><td></td></tr><tr><td>1402</td><td>320</td><td>2402</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td><td></td></tr><tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>petition to institute a public use proceeding</td><td></td></tr><tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>1453</td><td>1300</td><td>2453</td><td>650</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>1501</td><td>1300</td><td>2501</td><td>650</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>1502</td><td>470</td><td>2502</td><td>235</td><td>Design issue fee</td><td></td></tr><tr><td>1503</td><td>630</td><td>2503</td><td>315</td><td>Plant issue fee</td><td></td></tr><tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr><tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information disclosure Stmt</td><td></td></tr><tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>40.00</td></tr><tr><td>1809</td><td>750</td><td>2809</td><td>375</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>1810</td><td>750</td><td>2810</td><td>375</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td>1801</td><td>750</td><td>2801</td><td>375</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="2">Other fee (specify) _____</td><td colspan="2">SUBTOTAL (3) (\$ 40.00</td></tr></tbody></table>		Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	410	2252	205	Extension for reply within second month		1253	930	2253	465	Extension for reply within third month		1254	1450	2254	725	Extension for reply within fourth month		1255	1970	2255	985	Extension for reply within fifth month		1401	320	2401	160	Notice of Appeal		1402	320	2402	160	Filing a brief in support of an appeal		1403	280	2403	140	Request for oral hearing		1451	1,510	1451	1,510	petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1300	2453	650	Petition to revive - unintentional		1501	1300	2501	650	Utility issue fee (or reissue)		1502	470	2502	235	Design issue fee		1503	630	2503	315	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		1806	180	1806	180	Submission of Information disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40.00	1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))		1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))		1801	750	2801	375	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application		Other fee (specify) _____		SUBTOTAL (3) (\$ 40.00	
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																
1051	130	2051	65	Surcharge - late filing fee or oath																																																																																																																																																																																	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																	
1053	130	1053	130	Non-English specification																																																																																																																																																																																	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination																																																																																																																																																																																	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																	
1251	110	2251	55	Extension for reply within first month																																																																																																																																																																																	
1252	410	2252	205	Extension for reply within second month																																																																																																																																																																																	
1253	930	2253	465	Extension for reply within third month																																																																																																																																																																																	
1254	1450	2254	725	Extension for reply within fourth month																																																																																																																																																																																	
1255	1970	2255	985	Extension for reply within fifth month																																																																																																																																																																																	
1401	320	2401	160	Notice of Appeal																																																																																																																																																																																	
1402	320	2402	160	Filing a brief in support of an appeal																																																																																																																																																																																	
1403	280	2403	140	Request for oral hearing																																																																																																																																																																																	
1451	1,510	1451	1,510	petition to institute a public use proceeding																																																																																																																																																																																	
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																																	
1453	1300	2453	650	Petition to revive - unintentional																																																																																																																																																																																	
1501	1300	2501	650	Utility issue fee (or reissue)																																																																																																																																																																																	
1502	470	2502	235	Design issue fee																																																																																																																																																																																	
1503	630	2503	315	Plant issue fee																																																																																																																																																																																	
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																																	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)																																																																																																																																																																																	
1806	180	1806	180	Submission of Information disclosure Stmt																																																																																																																																																																																	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40.00																																																																																																																																																																																
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																	
1801	750	2801	375	Request for Continued Examination (RCE)																																																																																																																																																																																	
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																																	
Other fee (specify) _____		SUBTOTAL (3) (\$ 40.00																																																																																																																																																																																			
<b>FEE CALCULATION</b>																																																																																																																																																																																					
<b>1. BASIC FILING FEE</b>																																																																																																																																																																																					
<table border="1"><thead><tr><th>Large Entity Fee Code</th><th>Large Entity Fee (\$)</th><th>Small Entity Fee Code</th><th>Small Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>1001</td><td>750</td><td>2001</td><td>375</td><td>Utility filing fee</td><td>375.00</td></tr><tr><td>1002</td><td>330</td><td>2002</td><td>165</td><td>Design filing fee</td><td></td></tr><tr><td>1003</td><td>520</td><td>2003</td><td>260</td><td>Plant filing fee</td><td></td></tr><tr><td>1004</td><td>750</td><td>2004</td><td>375</td><td>Reissue filing fee</td><td></td></tr><tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr><tr><td colspan="5">SUBTOTAL (1)</td><td>(\$ 375.00</td></tr></tbody></table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	1001	750	2001	375	Utility filing fee	375.00	1002	330	2002	165	Design filing fee		1003	520	2003	260	Plant filing fee		1004	750	2004	375	Reissue filing fee		1005	160	2005	80	Provisional filing fee		SUBTOTAL (1)					(\$ 375.00																																																																																																																																										
Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																
1001	750	2001	375	Utility filing fee	375.00																																																																																																																																																																																
1002	330	2002	165	Design filing fee																																																																																																																																																																																	
1003	520	2003	260	Plant filing fee																																																																																																																																																																																	
1004	750	2004	375	Reissue filing fee																																																																																																																																																																																	
1005	160	2005	80	Provisional filing fee																																																																																																																																																																																	
SUBTOTAL (1)					(\$ 375.00																																																																																																																																																																																
<b>2. EXTRA CLAIM FEES</b>																																																																																																																																																																																					
<table border="1"><thead><tr><th>Total Claims</th><th>Extra Claims</th><th>Fee from below</th><th>Fee Paid</th></tr></thead><tbody><tr><td>39</td><td>-20** = 19</td><td>9.00</td><td>171.00</td></tr><tr><td>Independent Claims</td><td>3 - 3** = 0</td><td>42.00</td><td>0.00</td></tr><tr><td>Multiple Dependent</td><td></td><td></td><td>0.00</td></tr></tbody></table>		Total Claims	Extra Claims	Fee from below	Fee Paid	39	-20** = 19	9.00	171.00	Independent Claims	3 - 3** = 0	42.00	0.00	Multiple Dependent			0.00																																																																																																																																																																				
Total Claims	Extra Claims	Fee from below	Fee Paid																																																																																																																																																																																		
39	-20** = 19	9.00	171.00																																																																																																																																																																																		
Independent Claims	3 - 3** = 0	42.00	0.00																																																																																																																																																																																		
Multiple Dependent			0.00																																																																																																																																																																																		
<table border="1"><thead><tr><th>Large Entity Fee Code</th><th>Large Entity Fee (\$)</th><th>Small Entity Fee Code</th><th>Small Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td><td></td></tr><tr><td>1201</td><td>84</td><td>2201</td><td>42</td><td>Independent claims in excess of 3</td><td></td></tr><tr><td>1203</td><td>280</td><td>2203</td><td>140</td><td>Multiple dependent claim, if not paid</td><td></td></tr><tr><td>1204</td><td>84</td><td>2204</td><td>42</td><td>** Reissue independent claims over original patent</td><td></td></tr><tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr><tr><td colspan="5">SUBTOTAL (2)</td><td>(\$ 171.00</td></tr></tbody></table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	1202	18	2202	9	Claims in excess of 20		1201	84	2201	42	Independent claims in excess of 3		1203	280	2203	140	Multiple dependent claim, if not paid		1204	84	2204	42	** Reissue independent claims over original patent		1205	18	2205	9	** Reissue claims in excess of 20 and over original patent		SUBTOTAL (2)					(\$ 171.00																																																																																																																																										
Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																
1202	18	2202	9	Claims in excess of 20																																																																																																																																																																																	
1201	84	2201	42	Independent claims in excess of 3																																																																																																																																																																																	
1203	280	2203	140	Multiple dependent claim, if not paid																																																																																																																																																																																	
1204	84	2204	42	** Reissue independent claims over original patent																																																																																																																																																																																	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																																																																	
SUBTOTAL (2)					(\$ 171.00																																																																																																																																																																																
**or number previously paid, if greater; For Reissues, see above		*Reduced by Basic Filing Fee Paid																																																																																																																																																																																			

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name (Print/Type)	Thomas J. Osborne, Jr.	Registration No. (Attorney/Agent)	39,796
Signature	<i>Thomas J. Osborne, Jr.</i>	Telephone	303-295-8414
		Date	November 12, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorize on PTO-2038.  
Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Christopher John King

Serial No.

Filed: HERewith

For: STRETCHABLE ATHLETIC PANTS HAVING AN  
OVERLAPPING BONDED SEAM

Examiner:

Art Unit:

CERTIFICATE OF MAILING BY EXPRESS MAIL

Mail Stop: PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

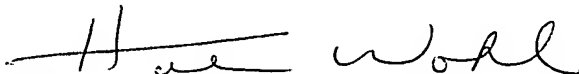
Sir:

The undersigned hereby certifies that the enclosed


1. Utility Patent Application Transmittal;
2. Specification, Claims and Abstract;
3. 3 Sheets of Drawings;
4. Fee Transmittal for FY 2003;
5. Check in the Amount of \$546.00;
6. Assignment Recordation Form Cover Sheet, Assignment and Check in the Amount of \$40.00;
7. Declaration and Power of Attorney;
8. Certificate of Mailing by Express Mail; and
9. Return Card,

relating to the above application, were deposited as "Express Mail," Mailing Label No. EV269464057US with the United States Postal Service, addressed to Commissioner for Patents, Mail Stop: PATENT APPLICATION, P.O. Box 1450, Alexandria, VA 22313, on this November 12, 2003.

November 12, 2003

  
\_\_\_\_\_  
Mailer

November 12, 2003

  
\_\_\_\_\_  
Thomas J. Osborne, Reg. No. 39,796  
HOLLAND & HART LLP  
555-17th Street, Suite 3200  
Post Office Box 8749  
Denver, Colorado 80202  
Telephone: (303) 295-8414  
Facsimile: (303) 295-8261